

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

MARION P.	)	Civil Action No. 1:23-cv-00005
	)	
<i>Plaintiff,</i>	)	
	)	Hon. David N. Hurd
v.	)	United States District Judge
	)	
KILOLO KIJAKAZI,	)	Hon. Daniel J. Stewart
ACTING COMMISSIONER OF	)	United States Magistrate Judge
SOCIAL SECURITY	)	
<i>Defendant.</i>	)	

**Parties' Stipulation for Remand**

The parties stipulate that the Acting Commissioner's final decision be reversed and that this action be remanded to the Acting Commissioner for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). Remand for further administrative proceedings is necessary because the Commissioner's final decision did not properly consider the claimant's residual functional capacity ("RFC") or properly consider the medical opinion evidence under the regulations. On remand, the Acting Commissioner will offer Plaintiff the opportunity for a hearing, take further action to complete the administrative record, and issue a new decision. The parties consent to the entry of judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

Respectfully Submitted,

Kilolo Kijakazi,

By Her Attorneys

Carla B. Freedman,  
United States Attorney

Plaintiff, By Her

Attorney

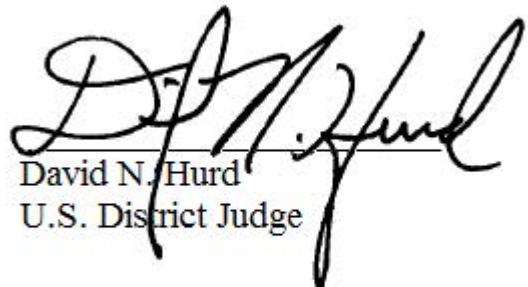
/s/ Geoffrey M. Peters

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IT IS SO ORDERED:



David N. Hurd  
U.S. District Judge

Dated: 08-11-2023